

# TRANSCRIPT

## FAMILY AND COMMUNITY DEVELOPMENT COMMITTEE

### Inquiry into the adequacy and future directions of public housing in Victoria

Melbourne — 9 February 2010

#### Members

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#### Witnesses

Ms S. Paten, chief executive officer, and

Ms J. Atkinson, tenancy manager, Aboriginal Housing Victoria.

**The CHAIR** — The Family and Community Development Committee is inquiring into the adequacy and future directions of public housing. All evidence taken at this hearing is protected by parliamentary privilege as provided under the Constitution Act 1975 and further subject to the provisions of the Parliamentary Committees Act 2003, the Defamation Act 2005 and, where applicable, the provisions of reciprocal legislation in other states and territories. Any comments you make outside the hearing will not be afforded such privilege.

We are recording the proceedings, and you will be sent a copy of the transcript. You will be able to make minor adjustments to it, if necessary. Please make your verbal submission. That will then be followed by questions from the panel.

**Ms PATEN** — I have a very quick question. I do not have to read the whole submission, just the response to the key — —

**The CHAIR** — Not the submission; the submission is already there on the record. If you want to make an opening comment or remark — it does not have to be long; just provide what is not in the submission or even a summary of your submission.

**Ms PATEN** — I am Sharon Paten. I am the CEO of Aboriginal Housing Victoria.

**Ms ATKINSON** — I am Joanne Atkinson. I am the tenancy manager, Aboriginal Housing Victoria.

**Ms PATEN** — We would like to make an opening comment. Our company was established to assist our Aboriginal community in Victoria to gain access to public housing. Since 1979 we actually enjoyed a very supportive and successful partnership with the Office of Housing, culminating in a transition to independence — although we remain interdependent — a move and a transfer of stock of the Aboriginal rental housing program as at 30 September last year to Aboriginal Housing Victoria as the stand-alone company to manage it independently.

We have approximately 1300 properties as part of that transfer of housing stock. We are still in partnership with the Office of Housing to achieve asset management at a later stage and hopefully one day ownership of the housing program.

I will talk about the public housing waiting lists in Victoria. Social housing provision for indigenous applicants is predominantly offered through three main sources in Victoria — the Office of Housing general stock, or what was called rental general stock; the Aboriginal Housing Victoria housing program, formerly the Aboriginal rental housing program; and the Community Housing and Infrastructure Housing program, managed by Aboriginal cooperatives and corporations around the state of Victoria, which was federally funded, so it was a commonwealth program.

Our anecdotal evidence, and I guess from our waiting list demands, is that Aboriginal Housing Victoria seems to be the preferred choice of housing provider for prospective tenants from the Aboriginal community, including tenants who are already housed in public housing or are back on the public housing waiting list and could potentially be in public housing.

The increasing costs and the decreasing availability of the private rental properties, as seen by the private rental market crash at the moment, have increased the demand for social housing options. There is also a greater demand from the indigenous community for housing for middle-income earners. However, the income eligibility guidelines preclude this target group from being eligible for the Office of Housing-owned properties or any social housing portfolio currently.

Our waiting list is an extraction from the Office of Housing's waiting list. We have agreed to accept 100 per cent of the referrals from the Office of Housing. That is initially because we have always taken our housing applications that way because it was easier for our community to apply through one process than to have to apply separately, and also because we want to give our applicants as many housing options as possible. The waiting list is an extraction identified by Aboriginality. To be eligible for our program, applicants have to provide further documentation by way of a confirmation of Aboriginality.

While we have committed to accepting 100 per cent of the applicants off the waiting list who choose to come across to our waiting list, that does not negate the need for them to still have housing options through the Office

of Housing. We are finding that there is a little bit of confusion at the moment with the transition of the Aboriginal rental housing program across to Aboriginal Housing Victoria, and that some local offices are actually turning Aboriginal applicants away and thinking that they should just apply through us. It is a little bit of an education process, and we are going through that at the moment.

Our current portfolio predominantly meets the needs of family groups. However, we understand that while the general population is an ageing population, our Aboriginal population is a younger population, with more than half of our population being 25 years and younger. We have an emerging need for singles accommodation and young adults having children themselves and becoming young families, and we also have a high need for single men's accommodation.

We have found that there are areas that have low socioeconomic outcomes and factors that result in increased numbers of singles and young families needing accommodation options. We held housing consultations around the state and we found that in Gippsland the feedback was that young women thought that the way to get housing was to become a family because once you became a family, you had a right to a house. Unfortunately, they were not aware of age limits and things like that. We had to dispel that myth.

There is also misinformation in the broader sector with the transition to independence of the Aboriginal Rental Housing program that we are now the primary provider for housing options for Aboriginal applicants, so we have had a huge increase in referrals and priority housing applications. We have actually determined our own priority housing criteria, because we have not adopted the segmented waiting list of the Office of Housing, so we have seen a huge increase in people wanting to apply for priority through us and people only wanting to apply for priority housing with us rather than applying through the Office of Housing and actually having an option of being on priority through both programs.

The loss of the commonwealth funding under the commonwealth-state housing agreement has had a significant impact on housing options in Victoria. Victoria was seen as not having as great a demand for housing and the community was not seen as in as much need when compared to the remote communities. That has put more pressure on us and I guess ultimately more pressure on the state to come up with options to pick up that area that has been dropped off.

In February 1999 the recurring homelessness segment of the public housing waiting list was introduced, and whilst it was targeted to households for whom the private rent market was not an option and the chronically homeless, the process by which the family or individuals needed to be case managed was seen as highly intrusive for our community. Frequently our Aboriginal applicants, individuals or families who dropped out of the process had to be managed through a transitional housing manager, and we found that the transient nature of our community meant that a lot of those applicants did not follow through until they were able to receive a successful priority housing outcome.

The documentation required, particularly around areas such as family violence where there was a requirement from the Office of Housing that you had to prove family violence by way of getting an intervention order, was onerous for our community and also created additional risks for that family. If they sought an intervention order against another member of the Aboriginal community, it could create community conflict and place the applicants and their families at risk; and it had very far-reaching effects for the extended family as well. So where there was a family violence application, more often than not that application would drop off because that was seen to be a barrier.

It seemed the more barriers put in place would result in a loss of momentum for that housing application and the applicant or applicants, and therefore they would not persist with the process and see it through to a natural conclusion or they were transient and had moved on to other areas and therefore were not managed through the process.

Supported housing, segments 2 and 3, special housing needs and also 'wait turn' targeted ways that our community could apply through the Office of Housing. However, those three required you to undertake the rent market test, and with our community the private rental market more often than not was not an option. An Aboriginal person could go into a real estate agent and they would be denied an option even to see whether there were any private rental properties available.

This was tested by way of support workers who clearly were not Aboriginal who would go in and ask to see a listing of the rental properties available, and they would be given a couple of pages of properties when 10 minutes earlier an Aboriginal applicant had walked in and been told there were no rentals available.

Having to undertake the rent market test was also a barrier to achieving segments 2 and 3. Of course real estate agents would not give reasons as to why they were refused a property for obvious reasons — in case there was a discrimination case brought against them. That test was seen as particularly discriminative against indigenous people. Now as the rent market is harder to get into for the general population it is actually squeezing out the indigenous population as we speak, so it is not seen to be an appropriate measure of being eligible for any of those segments.

The lack of appropriate one or two-bedroom housing options was a further disincentive. People who were only eligible for one-bedroom accommodation knew that the housing options, particularly in Melbourne, were going to be high-rise and bed-sitters and not particularly culturally appropriate. I will go into that little bit later in the presentation.

Single applicants were being offered accommodation in high-rise or high-density blocks knowing that if you have a priority application you only get the one offer, so we had large numbers of people going into high-rise estates, and this created further marginalisation, enhanced opportunities for stereotyping and placed them at greater risk of violence and drug and alcohol-related and dependency issues. There were assaults, fighting and deaths on some of the housing estates among the indigenous community members, and it is just not seen to be an environment conducive to healthy outcomes for the Aboriginal community.

In relation to public housing being restricted to only those on low incomes or those who are otherwise disadvantaged, our Aboriginal community faces greater barriers to obtaining suitable housing options, again through the private rental markets and alternative housing options. There have been attempts to address this issue and resolve it. The Real Estate Institute of Victoria has often made references to the different working groups and steering committees and proposals to redress this.

The fact of the matter is that socially, especially in a market where there are so many people competing for the one property, an Aboriginal person is most likely to be the person that will be refused the property. Again, being able to document that and provide that evidence is very rare, and it does not only preclude low-income people. We have lots of middle-income earners and high-income earners who can sustain a successful private rental property but who have that barrier and that stereotype because they are Aboriginal, and they will not get access to that housing opportunity, and they are the ones who do not have opportunities because of the income eligibility guidelines to get access to social housing through the Office of Housing or through our program, because we have the same guidelines imposed on us.

We see that there is a need to look at that and look at it like a safety net for those people who, through no fault of their own, can afford a higher rental charge but do not get that opportunity.

We also see that as an area where we can redress the imbalance, if you like, of the financial sustainability of a program where we have a lot of single people, and so those middle-income earners could prop up the deficit of the different rents being paid. So it is a good balance to have a good mix of your client groups, and there is an opportunity too.

In terms of the suitability of current accommodation options open to individuals or families on the waiting list, I guess the properties offered to applicants from the waiting list are the next available, and that results in what is almost like a raffle effect. You might be lucky and get a really good quality property in an area that is close to services and supports, or you might get one that is nowhere near where you need to be housed or would like to be housed. So being housed within a broad-band area is not always a good outcome for our community, and that is because our community generally tends to be closely located around supports and services, and a broad-band area can be quite large geographically, so having that restriction of not being able to be more specific within a broad-band region can place further disadvantage and can be seen as not a suitable option for being housed. So while a tenant might accept it because they know they have only got the one offer, it could result in their not being suitably housed.

When considering high-density housing as a valid offer, it is necessary to consider all the social aspects. Drug and alcohol use is prevalent in high-rise estates and places an already vulnerable community at further risk. Where applicants refuse valid offers, there should be consideration given on cultural grounds to whether that offer can be reinstated.

Security of tenure is critically important to Aboriginal community members. It forms a base on which to commence a process of gaining access to economic outcomes; without a house, you cannot get an income. As to education, children need to be in schools and getting an education. Also, employment provides a stable base on which to improve the health indicators of a family as a whole, particularly in relation to the 'closing the gap' targets.

Should public housing be made available on a short to medium-term basis? We have found that in circumstances where there is accommodation required in Melbourne or major regional towns it is usually for the purposes of medical support, palliative care or other short-term needs. Short to medium-term housing options would provide critical support to families that are at risk at that critical time. The issues to consider would be the financial implications if the applicant were financially committed elsewhere. It could be an issue of domestic violence where they are fleeing a property; they may have a property where their belongings are already stored or kept, and they need to go for the safety and security of their family.

**Ms ATKINSON** — I suppose other considerations that we would like to look at are the issues around domestic violence and people affected fleeing their communities. So when they need to get away from their community, short-term to medium-term accommodation in another community may also be a viable option for them. Also, there are issues around post-release for men and women transitioning back into the community. What we have found in my experience working with the Department of Justice is that men and women coming out of the prison system are at high need and at high risk of the revolving-door effect of coming out and going back into prison because of their housing needs. So if we were able to provide an option around short to medium-term accommodation where a man or woman could relocate away from the community which they lived in prior to going into custody, they may in fact be able to reunite with their families and provide themselves with an option to resettle their lives in another area. So we believe post-release options for men and women and the issue around domestic violence are critical in terms of short to long-term or medium-term housing.

**The CHAIR** — Thank you very much for your presentation. We will follow it up with some questions.

**Mr NOONAN** — Thank you for your submission. It is very comprehensive and insightful. I was drawn to the issue of the loss of the commonwealth funding, and I am not sure that I understand that well enough, so I am wondering if you can explain what that means in terms of properties that might normally have come to Victoria for its housing stock and offset that with the fact that I see here in your submission that the state housing minister — and I assume that is the current state housing minister — has committed a further 200 properties specifically for the indigenous community from the Nation Building economic stimulus package.

I wonder whether you might elaborate in terms of what consultation there is with you, particularly given that one of the attachments to your submission outlines where the highest needs perhaps are in terms of wait list. My eye was drawn to the northern metro area of Melbourne and also the Loddon Mallee area. It is a two-part question.

**Ms PATEN** — The commonwealth-state housing agreement in the past was funding that came from the commonwealth to the state and was matched by the state for the provision of growing the Aboriginal rental housing program. There was a commitment to grow the program by 21 new properties per year plus provide the funding for capital upgrades and responsive and cyclical maintenance. In the past it has provided a healthy, robust growth vehicle for getting new properties specifically for the Aboriginal community. With the end of the commonwealth-state housing agreement the commonwealth is no longer funding Victoria or, I think, New South Wales and Tasmania, and the funding is being redirected to the remote communities, and by their definition Victoria has no remote communities.

We have a very strong, supportive state government, and it is the current minister who has actually made the commitment to 200 new properties out of the Nation Building program. You are right; we have actually provided them with a needs analysis and, wherever possible and wherever the projects are being delivered they

are trying to tie them to our needs. Having said that, we think there is still an opportunity for and an obligation on the commonwealth to keep funding Victoria, because we are not the only indigenous housing provider. Whilst Aboriginal Housing Victoria has been very strongly supported by the state government through the Office of Housing, the cooperatives have not. At the end of the day that has provided a handy safety net for those middle-income earners who did not have to worry about the eligibility criteria in terms of income and all of those things. So actually having had a halt to that program and in the future having a halt to money for repairs, maintenance and major upgrades will mean that that stock is going to diminish over time and we are going to lose the valuable backup.

**Mr NOONAN** — With the stimulus package the aim is to bring this money into the economy very quickly, so is your expectation that the extra 200 properties will come online sooner rather than later, and have you been given a time line?

**Ms PATEN** — We have not been given a time line, because it is dependent upon projects that are out there. The first round was really targeted by saying, ‘Okay, who out there has got projects ready to go, house and land packages ready to go, so it can be handed over fairly quickly?’. We have had a number of those come across, and obviously in areas where there are no major projects and areas of no real major growth it is going to have to be a targeted approach, and there are some redevelopments happening in those areas that we certainly need to get involved in as well. They are filtering through, and yes, there will be a two-stage process.

**Mr NOONAN** — Thank you.

**Mrs SHARDEY** — Thank you for your presentation; it was very helpful. I am just looking at the provision of social housing to indigenous people that comes through three sources, as you say — the Office of Housing, Aboriginal Housing Victoria and the cooperatives. You might have to take this on notice. Could you give us some idea of the proportion that each one represents in terms of the provision of housing?

**Ms PATEN** — Sure.

**Mrs SHARDEY** — The other question I would like to ask, because I am probably very out of date, is in terms of what funding comes from the commonwealth under indigenous affairs or Aboriginal affairs to, particularly, Aboriginal housing organisations. Many years ago under ATSIC there was a flow of funds. What is the current situation in terms of funding coming from the commonwealth directly to Aboriginal communities, and how does this compare with state funding?

**Ms PATEN** — In a nutshell, I am not sure of the exact figure but I think there was something like \$450 million transferred from the commonwealth to the state, obviously under the control of the Office of Housing, as part of the end of the commonwealth’s involvement in the commonwealth-state housing agreement which ended, I think, on 31 December 2009.

Aboriginal Housing Victoria does not get any further funding in terms of administrative funding. In the past we worked on grant funding. We now work on a rent retention model where the rents generated by the 1300 properties we have are expected to fund all of the operations and contribute to growth. In the future we will have the capacity to have growth, but while we are bedding it down at the moment it is obviously limited.

**Mrs SHARDEY** — As I understood it the money that came from the commonwealth through Aboriginal affairs was different to the commonwealth-state housing agreement. I thought there were additional moneys that flowed to Aboriginal communities which were separate to those agreements. Is any of that still available?

**Ms PATEN** — There is no housing money that comes through Aboriginal affairs at the moment. It may have been through Aboriginal affairs when the portfolios were joined together in the past, but certainly Aboriginal affairs does not have a role — —

**Mrs SHARDEY** — Any flow of funds.

**Ms PATEN** — As you say, any flow of funds. The only thing at the moment is that the minister is the minister for aboriginal affairs, housing and local government. That is the only arrangement currently. It is now up to the Office of Housing to decide how they spend that money. I am not sure there is a commitment to actually grow the cooperative sector. They have an opportunity to become part of a housing association under

the Housing (Housing Agencies) Act. They need to become a housing provider or an association within three years — that is my understanding — so they are going to be given the resources to investigate those options. If they choose not to opt into that, they will not have access to any growth funding and they will be expected to maintain that portfolio with no funding.

**Mrs SHARDEY** — How have they been funded previously?

**Ms PATEN** — Through the commonwealth; through ATSIC, which became FaHCSIA; and directly. It was only the Aboriginal rental housing program where an amount of funding came through to the state, and then the state more than matched that — —

**Mrs SHARDEY** — That is what stopped?

**Ms PATEN** — Yes.

**Mr SCHEFFER** — Thank you for your presentation, and for the materials and submission you have given to us. You said in your presentation that some 1300 properties had been given to Aboriginal Housing Victoria, and then a little bit later on you said you think it is indigenous people on middle incomes rather than those on lower incomes who create problems with the housing list, and then you said that in allocating properties to people you do not use the waiting list. What do you use? Could you talk a bit to us about that, because it is interesting to us?

**Ms PATEN** — Sure. What we have agreed to do — and remember we have only had four months of doing this independently — is accept 100 per cent of the waiting list. That is a process that is happening by passive consent at the moment. Applicants can apply through the Office of Housing — —

**Mr SCHEFFER** — Sorry. Isn't it people choosing you?

**Ms PATEN** — Yes.

**Mr SCHEFFER** — So they are actively choosing you?

**Ms PATEN** — There are two parts. They are applying through the Office of Housing to go on the general wait-turn list, and part of why they are using us to trial the common waiting list notion is that we have agreed to accept 100 per cent of those applicants, because we have worked in that manner in the past anyway so there was an expectation by our community that that was the means to get Aboriginal housing.

What we determined, though, was that prioritising does not work for our community. If the applicant has been approved for wait-turn, they come across to us on wait-turn. If they have been approved for any of the segments of priority, they get approved as priority with us. They do not need to prove themselves again. However, we will house them from the priority approval date, so the first person who had priority will be the first person who gets the next available property.

**Ms KAIROUZ** — How long does it take?

**Ms PATEN** — What we have had is a trickling of properties coming across. The properties came across over an 18-month period, so we have really only had a full portfolio since 1 October; obviously it is going to be much less than the Office of Housing. The people who are most in need will get housed in a reasonable time frame through the Office of Housing, and they will retain their priority status and will still be housed in a reasonable time frame. With the way our priority works, more often than not it is quicker than the Office of Housing anyway. They are not disadvantaged. If anything, they are advantaged, except in areas where we do not have stock. If there are properties and they are wanting something in an area where traditionally there has not been a high demand, we cannot justify increasing the stock there.

**Mr SCHEFFER** — The other issue that has been raised with us is about people applying for houses having a greater choice, and I think you touched on that. It is about not being told, 'You have to go here' and 'It is not suitable' and then people feeling locked in. Are you able to accommodate that in your processing?

**Ms PATEN** — We are. Our portfolio is built around local cooperatives, local health services, public transport, schools and shops, which is why we have had a very successful partnership with the Office of

Housing. Over many years we have had input into the acquisitions and where properties are located. There might be a property every couple of years that we have inherited in some way that is not adequate for our program, and we get rid of it, but it is very rare. For the majority of our housing the first offer is the one that is taken.

**Mr SCHEFFER** — The last thing is, what about if people want to move after they have been there for eight months or something? Do they go back onto the bottom of the list, or can you accommodate that?

**Ms PATEN** — We can accommodate mutual swaps.

**Mr SCHEFFER** — Mutual swaps? That is interesting.

**Ms PATEN** — So if you know a family who wants to swap and you are both eligible for the same sized houses, we can do that and there is no waiting list. The only eligibility criteria are that you cannot be in arrears and you cannot owe a debt.

Because we have inherited a program, what we have identified recently is there is a lot of underutilised stock. So out of these Nation Buildings targets we will be looking at offering those new units to long-term residents to entice them to give up a three-bedroom house and move into a two-bedroom. There will be no waiting list penalties there, and that is just good stock management.

**Ms ATKINSON** — The other side to that is if somebody wants to transfer rather than vacate the property, we encourage them to stay in the property and put in a transfer application, which then allows them to be able to remain housed but also gives them the opportunity to transfer at a time when a place is available. That is still a waiting game, but really what we encourage our tenants to do is not vacate the property and then have to re-apply and go the bottom of the waiting list. They remain in the property to ensure that their families are safe and housing is adequate, but they are able to be offered a transfer to suitable accommodation maybe in another town if that is where they want to go. It is really about negotiating with them.

**Ms PATEN** — Joanne is making reference to one of the criteria that applies for a transfer because of unsafe grounds. You have to be homeless, whereas we say, 'Don't give up your home to get a status that will allow you to move on. Be housed. We understand that it is a risky housing option, but it is better than being homeless'.

**Mrs POWELL** — Can I ask a question about cultural significance — to Sharon or Jo? You say there is a lack of one and two-bedroom homes. One of the issues that comes to my office is the issue of people being offered a one-bedroom dwelling by the Office of Housing when they might have an extended family and that extended family comes to visit. It might even be grandma, but she has grandchildren coming to visit or uncles or aunties who come from other areas and expect to be invited into the home. So there is an expectation that even though you only have a one-bedroom, you will have to give hospitality to some of your kin as they travel around or if they live in the same area. Is that an issue, or is that being dealt with?

**Ms PATEN** — That is exactly right, and that is why in the Aboriginal rental housing program we do not have one-bedroom accommodation. It is always two-bedroom, because if it is a younger person, we acknowledge that they are not going to be single forever. If it is an elder, we acknowledge that they will have grandchildren or extended family and may even need a carer. For the difference in the purchase price of a one and a two-bedroom, it is silly not to go for a two-bedroom option.

However, the challenging part about that is that as the demand for singles accommodation is greater we need to look at some different housing models. At the moment our portfolio is predominantly stand-alone-type accommodation or a unit in a very small unit cluster; we do not go for big village-type unit accommodation, and that is because of the cultural grounds and to reduce antisocial issues and things like that. Now the challenge is on us as an organisation to come up with some housing options for housing single people.

**Ms ATKINSON** — Traditionally when we purchased properties in the past we purchased for the requirement to house a family; with the Office of Housing and with Aboriginal housing we purchased three and four-bedroom properties. Two-bedroom properties were very limited, and so housing singles was never really an option many years ago. In actual fact, given that the times are changing and the needs are changing, we are now acquiring two-bedroom properties, but that is a slow process as well. In turn, for us to acquire more

two-bedroom properties in the future is impacted on by the fact that we have to be able to purchase them — we need to have the availability and the funding to be able to purchase them.

There are a lot of issues that impact on how we house singles. That also goes back to our prisoners — men and women coming out of prisons. If they are not reuniting with families and we do not have the stock in country areas for them to go home to — to a one-bedroom or two-bedroom property — do they get housing? There are a lot of issues around that, and I think that is one of our critical needs at the moment: how do we address the issues for post-release and look at a statewide program to accommodate men and woman, family violence issues and victims?

**The CHAIR** — In your submission you made some interesting comments about the Foyer model. Can you explain a bit about the Foyer model and how the Aboriginal communities will benefit from it? How can that be adapted?

**Ms PATEN** — The Foyer model is a new notion in the way you can achieve more housing options for singles but provide an integrated response to their needs to sustain tenancies and to move them on throughout their life. They are fairly new, so I think that if we are looking at high-density singles-type accommodation, a Foyer model might work, because the services will be based in the foyer and therefore it will be a disincentive for antisocial or illegal activities.

It is a new concept, and it is one that we need to start thinking about, because we know that economically we are not going to be able to go out and get one-bedroom properties or two-bedroom properties dotted around, particularly with the private market costs for purchasing. So we need to start thinking of some higher density models that work, and the Foyer model seems to be the one that everyone is looking at, particularly in our community where we try to provide a holistic response to many of the needs of the community. It makes sense that you bring all the services to the client rather than treat parts of the client's needs and expect them to run around to all of the services.

**The CHAIR** — And do you have a management committee looking after the residential properties — on one side, gated?

**Ms PATEN** — Yes, you would need to think about things like after-hours security and all of those sorts of things, safety on different levels. We could consider having an apartment just for indigenous applicants, or it could be a model where there were partnerships with other community housing providers and we could have a few apartments dotted around, but it is certainly an exciting opportunity to have a look at providing more opportunities for single-type accommodation and providing the support services to sustain the tenants and move them on with their life.

**Ms KAIROUZ** — Other people have also spoken about the onerous applications and how complicated they are, and you have managed to work out your own system that has worked well, but I am interested in something you mentioned about domestic violence and the requirement to prove there is domestic violence. In order to do that, they have to put out an intervention order. Is that just a practice or a policy?

**Ms PATEN** — It used to be a policy, and many years ago Joanne and I were both housing officers and we were part of a pilot where we had nomination rights into segment 1 and other segments. They were some of the things that we actually fought for through us being nominees, if you like.

But I think you are right, it is a practice — and it is different in each area. The requirement to actually go to a court is a problem when traditionally Aboriginal people are more passive in their approach to actually taking enforcement action or legal action against other parties — one, actually fronting up to a court and seeking an intervention order, and two, dealing with the flow-on effects, because that intervention would have been served on the perpetrator. Through the family violence strategy the understanding was that they did not necessarily want any actions, they just wanted the violence to stop. It is a matter of removing the perpetrator and moving them on to somewhere where they can have the supports and services to address the behaviour, stop the offending and sustain the family.

But still we are getting the family violence. The community violence applications are coming directly through to us and not going through the Office of Housing.

**Ms KAIROUZ** — What advice would you give other associations: to follow your lead or your practice in terms of making it easier for applicants?

**Ms PATEN** — I am not sure that they are not. They probably do the same thing. I guess the difficulty is that we have just got the indigenous community that we provide a service for and they would have different groups. They would have the general population and they would have different minority groups having different needs, so their challenge is a little bit different to ours. Being — for want of a better description — a peak body that only does Aboriginal housing and an Aboriginal organisation run by Aboriginal people, it is much easier to develop policies, protocols and procedures that meet the needs of our own community. So it is a challenge for other social housing groups, but I am sure that they have flexible policies unique to their programs.

**Ms ATKINSON** — I think it is really about what is available in the market, and currently — I think we touched on it around the short and medium-term accommodation for people — the requirement to prove that you are in fact eligible for housing in any sector really is about what evidence people can provide to the organisation. It is a difficult thing for any organisation to try to offer housing. Everyone's needs are great to them, but in general we need to be able to see the evidence.

We have requirements, and they probably are as stringent as other housing providers as well, but from our point of view we try very hard with our policies to gear them around the cultural benefits to or the cultural needs of our community. That is really our priority — to try to reflect the cultural needs of our community. Everything we do is around that, and I understand that it is difficult for general housing providers in the system because they have to look at all cultures, and that obviously is a difficult thing as well. How you gear your questions is also important. How people read the questions is also important, so they need to look at how they ask the question and what they are in fact asking people to provide.

**Mrs POWELL** — That leads to a question I would like to ask. You mentioned that people on middle incomes can face discrimination in the private rental market and that they do not meet the qualifications or the requirements of the public sector. Do you have any solutions for that? How do we get past that? Obviously they are then going to be on a waiting list to get public housing, and they probably could meet the requirements of getting something in the private market, but nobody will give it to them. How do we deal with that?

**Ms PATEN** — That is really difficult. They really are the community that slips through the net. We have always acknowledged that. As I said, in the past the CHIP sector picked those people up and had that ability. Aboriginal Housing Victoria has 40 properties that we own ourselves through the commonwealth funding, and so where possible we try to, if there is a need, target those to the middle income.

Again, for economic reasons they do prop up the single-income households, but it is difficult because when they want something in private rental, it is usual that they want something now — they want it within the next month or the next couple of months.

**Mrs POWELL** — And where you want it.

**Ms PATEN** — Exactly. So it is difficult, but we just know that we are actually getting a greater demand from people on middle incomes. We know that they slip through the system by being on a household application where they do not actually identify the main income earner. They get creative about the way they get housing approved. It is only when they are actually in the property and you do your next rent review that you find out there are some income earners there. It creates a challenge, because they are also taking a housing opportunity away from those who are on a lower income.

**The CHAIR** — Thank you very much for your input to the inquiry. We really appreciate it.

**Ms PATEN** — You are welcome. Thank you for the opportunity.

**Witnesses withdrew.**